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13 Attorneys for Defendants  
14 Steven Clontz, Gary Hromadko, Scott Kriens,  
15 William Luby, Irving Lyons, III, Christopher  
16 Paisley, Stephen Smith, Peter Van Camp and  
17 nominal defendant Equinix, Inc.

10 UNITED STATES DISTRICT COURT  
11  
12 NORTHERN DISTRICT OF CALIFORNIA

13 JOSEPH STOPA, derivatively on behalf of  
14 Nominal Defendant, EQUINIX, INC.,

15 Plaintiff,

16 vs.

17 STEVEN CLONTZ, GARY HROMADKO,  
18 SCOTT KRIENS, WILLIAM LUBY,  
19 IRVING LYONS, III, CHRISTOPHER  
20 PAISLEY, STEPHEN SMITH, PETER VAN  
21 CAMP,

22 Defendants.

23 and

24 EQUINIX, INC.,

25 Nominal Defendant.

Case No. 11-CV-02467-SC

Derivative Action

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

1 This stipulation is entered into by and among plaintiff Joseph Stopa (“Plaintiff”) and  
 2 defendants Steven Clontz, Gary Hromadko, Scott Kriens, William Luby, Irving Lyons, III,  
 3 Christopher Paisley, Stephen Smith, Peter Van Camp and nominal defendant Equinix, Inc.  
 4 (collectively, “Defendants”), by and through their respective attorneys of record;

5 WHEREAS, presently pending before this Court is Plaintiff’s putative shareholder  
 6 derivative action against certain officers and directors of Equinix, Inc. (“Equinix” or the  
 7 “Company”) and against nominal defendant Equinix;

8 WHEREAS, this action has been deemed related to a putative shareholder class action  
 9 complaint, entitled *Cement Masons & Plasterers Joint Pension Trust v. Equinix, Inc., et al.*, Case  
 10 No. 11-CV-01016-SC (N.D. Cal.) (“*Cement Masons*”), which is currently pending in this Court  
 11 against Equinix and certain officers and directors under the Private Securities Litigation Reform  
 12 Act (“PSLRA”);

13 WHEREAS, plaintiff in the *Cement Masons* case filed a Third Amended Complaint for  
 14 Violation of the Federal Securities Laws (“Third Amended Class Action Complaint”) on January  
 15 15, 2013;

16 WHEREAS, on June 4, 2013, the Court notified the parties in *Cement Masons* that  
 17 defendants’ motion to dismiss the *Cement Masons* Third Amended Class Action Complaint  
 18 would be decided on the papers without oral argument;

19 WHEREAS, the Court has not yet issued an order on defendants’ motion to dismiss in  
 20 *Cement Masons*;

21 WHEREAS, the operative complaint in this action is an Amended Complaint filed on  
 22 December 14, 2011;

23 WHEREAS, pursuant to stipulation of the parties, the Court has entered an order on  
 24 January 7, 2013, temporarily staying proceedings in this action pending a ruling on the motion to  
 25 dismiss in *Cement Masons*;

26 WHEREAS, pursuant to this Court’s order, Defendants have no obligation to move, plead  
 27 or otherwise respond to Plaintiffs’ Amended Complaint until after this Court rules on defendants’  
 28 motion to dismiss the *Cement Masons* Third Amended Class Action Complaint;

1 WHEREAS, because the Court has not yet issued an order on defendants' motion to  
2 dismiss the *Cement Masons'* Third Amended Class Action Complaint, this case currently remains  
3 stayed and Defendants have not yet responded to the Amended Complaint herein;

4 WHEREAS, a Case Management Conference is currently set for June 21, 2013;

5 WHEREAS, in light of the status of this action, the parties believe that a Case  
6 Management Conference at this point would serve no purpose and would result in the needless  
7 expenditure of private and judicial resources, and that the Case Management Conference in this  
8 action should be continued;

9 WHEREAS, the parties have conferred with the Court and have been informed that  
10 August 23, 2013, at 10:00 a.m. is a convenient date for the Case Management Conference;

11 IT IS ACCORDINGLY STIPULATED, by and between the undersigned counsel for the  
12 parties, that:

13 1. The Case Management Conference presently scheduled for June 21, 2013 is  
14 continued to August 23, 2013, at 10:00 a.m.

15 2. The parties will file a Joint Case Management Conference Statement seven (7)  
16 days prior to the Case Management Conference.

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1 Dated: June 11, 2013

FENWICK & WEST LLP

2 By: /s/ Marie Bafus  
Marie Bafus

3 FENWICK & WEST, LLP

4 Attorneys for Defendants Steven Clontz, Gary  
5 Hromadko, Scott Kriens, William Luby, Irving  
6 Lyons, III, Christopher Paisley, Stephen Smith,  
7 Peter Van Camp and nominal defendant Equinix,  
Inc.

8 Dated: June 11, 2013

GREEN& NOBLIN, P.C.

9 By: /s/ Robert S. Green  
Robert S. Green

10 GREEN & NOBLIN, P.C.

11 FEDERMAN & SHERWOOD  
12 Attorneys for Plaintiff  
13 Joseph Stopa

14 Pursuant to Civil Local Rule 5-1(i)(3), all of the signatories concur in the filing of this  
15 stipulation.

16 **PROPOSED ORDER**

17 Pursuant to the foregoing stipulation, it is hereby ordered that:

18 1. The Case Management Conference presently scheduled for June 21, 2013 is  
19 continued to August 23, 2013, at 10:00 a.m.

20 2. The parties will file a Joint Case Management Conference Statement seven (7)  
21 days prior to the Case Management Conference.

22 Dated: 06/12/2013

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